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TAGS: [PHUM](#) [PTER](#) [KJUS](#) [EG](#)

SUBJECT: LETTER TO SECRETARY FROM PRISONER NABIL SOLIMAN

REF: A. 04 CAIRO 9247

[B](#). 03 CAIRO 2300

[C](#). 02 CAIRO 6152

Classified by Charge Gordon Gray for reasons 1.4 (b) and (d).

[1](#). (C) The Embassy received on March 1, 2005 a letter addressed to the Secretary from Nabil Soliman, who was returned by the United States to Egypt in June 2002. Soliman was convicted by an Egyptian State Security Court in November 2002 of membership in Egyptian Islamic Jihad. Soliman received a five year sentence, which he has been serving in Cairo's Torah prison. In keeping with the monitoring agreement completed as part of the negotiations for his return, Emboffs have regularly visited Soliman in prison, most recently on December 19, 2004 (ref A).

[2](#). (C) Soliman's letter, dated February 15, 2005, is reminiscent of his March 2003 letter to Secretary Powell (ref B). In both letters, Soliman, who was first detained in the U.S. for immigration violations in 1997, argues that his removal from the United States was in violation of a U.S. court judgment ordering his release (which he alleges was suppressed by the Immigration and Naturalization Service). In his February 2005 letter, he repeated allegations he made in his March 2003 letter, and in his first meeting with Emboffs in June 2002 (ref C), that he was mistreated immediately following his return to Egypt.

[3](#). (C) However, in all six Embassy visits to Soliman subsequent to our June 2002 meeting, Soliman has asserted that he is being humanely treated, assertions consistent with his appearance and demeanor. Nonetheless, in Soliman's most recent letter, he complains that prisoners with easy access to money (which he does not have) enjoy benefits which he does not, and adds that his complaints to prison officials on this point have led to threats that he would be transferred to a prison with much harsher conditions. Soliman adds that his imprisonment has led to loss of contact with his children (believed to be in the custody of his estranged wife, possibly in the U.S.). He closes with an appeal to the Secretary to intervene with the GOE for him to be released for good behavior upon the completion of half his sentence. (Comment: Soliman's request that he be released upon completion of half his sentence would, if granted, be a departure from standard practice. Prisoners in Egypt are often considered for (but not guaranteed) release for good behavior upon completion of three quarters - not one half - of their sentence. End comment.)

[4](#). (C) The text of the letter (edited to correct minor spelling errors) is repeated below. Embassy is pouching the original to NEA/ELA.

Begin text

The Honorable Dr. Condoleezza Rice,
Secretary of State
c/o The Embassy of the United States
Cairo, Egypt

February 15, 2005

Dear Dr. Rice:

My greeting to you and congratulations for your new position with my best wishes. I had requested from the U.S. Embassy

to see you if you come to Egypt. The U.S. Embassy has asked what is my complaint. However, I understand well that the Secretary of State will have no time to meet an individual to discuss a small case. So, I am writing to you this letter hoping that you might give me a few minutes from your valuable time to read it.

The U.S. Embassy agents are very venerable and concerned people, but they not have much to do for my case. Then I am raising this issue to you. This issue in fact is that my constitutional rights have been violated by both governments the American and the Egyptian. I believe that you will be concerned about this issue, simply because you are very sincere not to undermine the democratic ideals and principals in the United States in which they were founded. Also, I believe that you are very serious to change the Middle East from dictatorship and corruption to democracy and liberty.

I will explain to you briefly why my constitutional rights have been violated by both countries as following:

First, in the United States:

¶1. I had been detained for five years in the United States by the immigration and naturalization service (INS) from July 1, 1997 to June 11, 2002. I was not charged with any crime and in fact I was not even under investigation in the United States. I have been ordered to remove from the U.S. to a third country as a final decision. I had a valid travel documents which would allow me to travel to several different countries but the INS intentionally did not allow me to leave the U.S. to continue my detention. Regardless of the fact that my fifth amendment right have been violated by depriving my liberty.

¶2. In fact the INS has intentionally suppressed two letters granting me supervised release from the detention pending my removal. The first decision was signed and date on November 27, 2001, granting my release as of that date. The second decision was signed and dated on February 25, 2002, granting my release as of that date. The two decisions in those custody reviews were intentionally suppressed from me and my lawyer for more than six months in an apparent scheme to keep me in detention until they could devise a plan to extradite me to Egypt, despite its lack of authority to do so and regardless of the fact that my due process rights have been violated.

¶3. On June 12, 2002, my extradition to Egypt has been taken place despite the fact that there is no extradition treaty exists between the United States and Egypt. The INS repeatedly has stated throughout the record in my case that its actions towards me are based on its concern for maintaining a good relationship with Egypt and that Egypt wants me returned to Egypt to face charges. Regardless of the fact that the United States had never ever extradited a person without extradition treaty in its history. I have been handcuffed, shackled my feet and taken into private airplane, there was a guard waiting for me with an injection to make me sleep by the drug. Then I have been handover to the Egyptian General Intelligence upon my arrival in Cairo airport.

The U.S. Ambassador Mr. David Welch said that "Soliman's removal coming after successful bilateral discussion, is another example of the close U.S. friends and allies to eradicate this scourge." (See U.S. Embassy, Public Affairs, Cairo, July 5, 2002). Moreover, the INS have no legal right to extradite me to Egypt without extradition treaty, not even have legal right to remove me to Egypt as a normal immigration removal, because before I granted the deferral of removal to any third country, I have been ordered to remove from the U.S. as a final order under section 241 (b)(1) of the Immigration and Nationality Act. According to this section, my removal was to the last country I visited before entering the United States which is in my case was Morocco not Egypt.

Second, in Egypt:

¶1. Upon my arrival in Egypt I had been tortured by electric shock and beaten by stick at the General Intelligence, despite the diplomatic assurances that I will not be tortured. Also, when I was transferred to the investigation state security for question not even related to my case, they left me over there handcuffed and blindfolded wearing them all time for days.

¶2. I was tried in state security emergency court for mistaken identity case. There was no evidence against me, there was no witness against me and the prosecutor had nothing to say about my charges. On the other hand I had submitted official documents clearing my name and fingerprint. (See Al Ahram newspaper, January 31, 2003). I was sentenced to five years and there is no appeal for the emergency court.

¶3. In the small level at the jail management who can make my life miserable. The jail is convenient only for who have money which I do not have. There is no complaint to avoid severe harm or framing by new case. I have been threatened several times to be transferred to Abu-Zabal jail which is not good even for animals. The cell over there has no bathroom but only a big bucket to use as a bathroom. There are no medical services, or visitation for family and lawyer. On one time I was told to pack my stuff to be transferred to Abu-Zabal jail because I had complained that I am not receiving my food but they changed their mind after I get their message.

As a result of all the above my family has been broken and I lost my five children, (two of them are American citizens). I do not know where is their location for almost five years, other than they are in the United States, despite my right of (children whereabouts) as a parent's right of children who are American citizens. Also, I have been damaged psychologically, emotionally and economically, which have been inflicted upon my health causing me a high blood pressure.

So, I am appealing to you to do your best to get my legal right of releasing me at half time sentence which apply to me, as I am a good behaviour.

Also, I appealing to you to get my legal right of (child whereabouts) as I am a parent for children who are American citizens, and help me out to live with my children wherever they are.

I appreciate in advance your effort, help and valuable time.

Respectfully submitted,

/Signed/

Nabil A. Soliman
Cairo, Egypt

End text.

Visit Embassy Cairo's Classified Website:
<http://www.state.sgov.gov/p/nea/cairo>

You can also access this site through the
State Department's Classified SIPRNET website.

GRAY